

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

BRYANT L. CROWLEY,

Petitioner,

vs.

WARDEN, Southern Ohio Correctional  
Facility,

Respondent.

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Case No. 3:11cv0431

JUDGE WALTER HERBERT RICE

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DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS  
OF THE UNITED STATES MAGISTRATE JUDGE (DOC. #7) IN THEIR  
ENTIRETY; PETITIONER'S OBJECTIONS TO SAID JUDICIAL FILING  
(DOC.#8, STYLED AS A TRAVERSE) OVERRULED; JUDGMENT  
ENTERED IN FAVOR OF RESPONDENT AND AGAINST PETITIONER  
HEREIN DENYING AND DISMISSING PETITIONER'S PETITION FOR  
WRIT OF HABEAS CORPUS, AS SETTING FORTH A CLAIM NOT  
COGNIZABLE UNDER 28 U.S.C. SECTION 2254; CERTIFICATE OF  
APPEALABILITY AND ANTICIPATED REQUEST TO APPEAL IN FORMA  
PAUPERIS DENIED; DIRECTIONS TO CLERK OF COURT'S OFFICE;  
TERMINATION ENTRY

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On February 14, 2012, the United States Magistrate Judge filed a Report and Recommendations (Doc. #7), recommending that the Petitioner's Petition for Writ of Habeas Corpus (Doc.#1) be denied and, therefore, dismissed, as setting forth a claim not cognizable under 28 U.S.C. Section 2254.

Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (Doc.#7), as well as upon a thorough de

novo review of this Court's file and the applicable law, this Court adopts the aforesaid Report and Recommendations in their entirety, and overrules Petitioner's objections (Doc.#8, styled as a traverse) in their entirety.

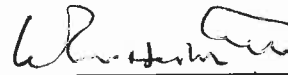
Judgment will be ordered entered in favor of Respondent and against Petitioner herein, denying and dismissing the Petitioner's petition for writ of habeas corpus (Doc.#1), as setting forth a claim not cognizable under 28 U.S.C. Section 2254.

Given that Petitioner has failed to make a substantial showing of the denial of a federal constitutional right and, moreover, because the Court's decision herein would not be debatable among jurists of reason, this Court denies Petitioner a certificate of appealability. Further, given that any appeal from this Court's decision would be objectively frivolous, this Court denies an anticipated request to appeal in forma pauperis.

As recommended by the United States Magistrate Judge, it is the request of this Court that the Clerk of Court serve a copy of the Magistrate Judge's Report and Recommendations by electronic or regular mail on the Attorney General of Ohio, care of Assistant Attorney General M. Scott Criss, Corrections Litigation Section, 150 East Gay Street, 16<sup>th</sup> Floor, Columbus, Ohio, 43215-6001.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

March 28, 2012



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WALTER HERBERT RICE, JUDGE  
UNITED STATES DISTRICT COURT

Copies to:

Counsel of record